

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
REGINALD STANLEY,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE OFFICER CELY  
BATISTA, POLICE OFFICER JOHN DOE,

Defendants.  
-----X

**NOTICE OF MOTION  
FOR SUMMARY  
JUDGMENT BASED  
ON QUALIFIED  
IMMUNITY**

07 CV 11396 (CM)

**PLEASE TAKE NOTICE** that, pursuant to the individual practices of the Honorable Judge McMahon defendants City of New York and Police Officer Cely Batista, will move this Court before the Honorable Colleen McMahon, United States District Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure based on Qualified Immunity and in accordance with Judge McMahon's individual practices, on the grounds that the defendants' are entitled to qualified immunity on some or all of plaintiff's claims.

**PLEASE TAKE FURTHER NOTICE** that such motion will be submitted following the prescribed period of discovery set forth in the Court's Individual Practices.

Dated: New York, New York  
March 27, 2008

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By: Meghan Cavalieri  
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cc: Via ECF and Mail  
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**MICHAEL A. CARDOZO**

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*Of Counsel: Meghan A. Cavalieri  
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*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 2008*

*..... Esq.*

*Attorney for .....*